

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Junichi Ohnishi, et al.	Examiner:	Philip Robert Smith
Serial No:	10/523,423	Art Unit:	3739
Filed:	January 28, 2005	Docket:	18600
For:	MEDICAL TREATMENT SYSTEM, ENDOSCOPE SYSTEM, ENDOSCOPE INSERTING- OPERATION PROGRAM, AND ENDOSCOPE APPARATUS	Dated:	July 7, 2008
Conf. No.:	1164		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

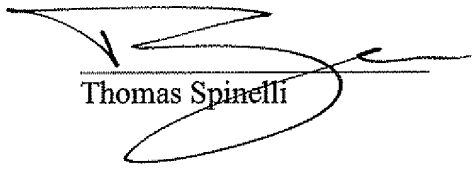
Sir:

Pursuant to the restriction requirement imposed in the Official Action dated June 9, 2008, Applicants elect the claims of Group [01a], i.e., Claims 1-9, for continued prosecution herein.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website, on the date set forth below.

Dated: July 7, 2008


Thomas Spinelli

Claims 1-26 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. § 121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group [01a], Claims 1-9, drawn to a medical treatment system and operation program having an information input unit;

Group [01b], Claims 10-16, drawn to an endoscope system and operation program comprising an information output step; and


Group [01c], Claims 17-26, drawn to an endoscope and operation program having a control unit.

It is the Examiner's position that the inventions listed as Groups [01a], [01b] and [01c] are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants elect to prosecute the subject matter of Group [01a], Claims 1-9. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



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